

Regular Session, 2011

HOUSE RESOLUTION NO. 69

BY REPRESENTATIVE TEMPLET

CRIMINAL/RECORDS: Directs the La. State Law Institute to study provisions of law regarding background checks for individuals working with the elderly

1 A RESOLUTION

2 To authorize and direct the Louisiana State Law Institute to study and make
3 recommendations for the revision of laws regarding criminal history background
4 checks for individuals who provide personal care or other health-related services to
5 adults.

6 WHEREAS, Louisiana has many provisions of law to protect the most vulnerable
7 members of our society; and

8 WHEREAS, the Louisiana Legislature has enacted laws to increase criminal
9 penalties for crimes committed against children, the elderly, and adults with a physical or
10 intellectual disability; and

11 WHEREAS, Louisiana law provides for criminal history background information to
12 be collected on individuals who have direct access or control over children; and

13 WHEREAS, Louisiana law requires criminal history background checks to be
14 performed on licensed or unlicensed individuals who provide personal care or other health-
15 related services to an adult person, whether the service is provided in the adult person's
16 residence or in the residence of the adult person's family member, and to residents in a
17 nursing facility, intermediate care facility, or an adult residential care facility; and

18 WHEREAS, the law regarding criminal history background checks should be
19 uniform and consolidated to provide a uniform and simple procedure for all individuals who
20 wish to provide personal care or other health-related services, either for compensation or as
21 a volunteer, and for their employers.

1 THEREFORE, BE IT RESOLVED that the House of Representatives of the
2 Legislature of Louisiana does hereby direct the Louisiana State Law Institute to study and
3 make recommendations for the revision of laws regarding criminal history background
4 checks for individuals who provide personal care or other health-related services to adults.

5 BE IT FURTHER RESOLVED that the Louisiana State Law Institute work in
6 conjunction with and request information from the Louisiana Department of Health and
7 Hospitals, the Louisiana Assisted Living Association, the Louisiana Nursing Home
8 Association, the Louisiana District Attorneys Association, the Louisiana Public Defender
9 Board, the Louisiana Sheriffs' Association, the Louisiana State Police, the Louisiana
10 Commission of Law Enforcement and the Administration of Criminal Justice, and any other
11 agencies or associations deemed appropriate by the committee regarding this study.

12 BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted
13 to the director of the Louisiana State Law Institute and that the Louisiana State Law Institute
14 report its findings and recommendations to the Legislature of Louisiana on or before January
15 1, 2013.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Templet

HR No. 69

Directs LSLI to study and make recommendations for the revision of laws regarding criminal history background checks for individuals who provide personal care or other health-related services to adults.